

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

SOUTHEAST LABORERS HEALTH)	
AND WELFARE FUND)	No. 3-09-0836
)	
v.)	
)	
W.M. WHITE, INC.)	

ORDER

On October 14, 2009, the plaintiff filed a "Notice of Voluntary Nonsuit" (Docket Entry No. 5), the defendant not having filed or served an answer or motion for summary judgment.

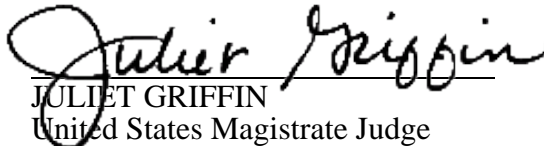
As a result, the initial case management conference, scheduled by notice issued contemporaneously with the filing of the complaint, on October 26, 2009, is CANCELLED.

In accord with Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, no further action on the part of the Court is required. Therefore, this case is DISMISSED without prejudice and the Clerk is directed to close this case on the records of the Court.

There will be no further proceedings before the Magistrate Judge in this case.

The Clerk is also directed to mail a copy of this order to the defendant, c/o Dorinda Gibson, P.O. Box 766, Columbia, TN 38402, by regular, first class mail (only).

It is so ORDERED.


JULIET GRIFFIN
United States Magistrate Judge